

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DOUGLAS SHYNE,
NATASHA SINGH,
a/k/a "Beatris Rodrigues,"
NATHANIEL SHYNE,
TOYBE BENNETT,
a/k/a "Dmitriy Makarovich,"
a/k/a "Dmitriy Makervisch,"
a/k/a "Eduardo Rodrigues,"
a/k/a "Cecilio Pena,"
ROBERTO MONTGOMERY,
EPHRAIM RICHARDSON,
NARESH PITAMBAR
JASON WATLER,
STEVEN RIDDICK,
NATANIEL ALEXANDER, and
TIMOTHY MONTGOMERY,

Defendants.

S4 05 CR. 1067 (KMK)

**NOTICE OF MOTION AND
MOTION FOR ADMISSION
PRO HAC VICE OF ROBERT
W. MCFARLAND**

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF N.Y.
2006 MAY -2 04:41

The undersigned, attorney for Defendant Timothy Montgomery, and a member of the bar of this Court, respectfully moves pursuant to the Rule 1.3(c) of the Rules of the United States District Court for the Southern District of New York that the Court admit Robert W. McFarland, Esq., a member of the bar of the Commonwealth of Virginia, to represent Defendant, Timothy Montgomery in the above-captioned matter. I represent that:

1. The office address of Robert W. McFarland is: McGuireWoods LLP, World Trade Center, Suite 9000, 101 West Main Street, Norfolk, Virginia 23510-1655. His e-mail address is rmcfarland@mcguirewoods.com, and telephone number is 757-640-3716. Mr. McFarland is resident in the firm's Norfolk office.

2. The accompanying Affidavit of Robert W. McFarland establishes that he is a member in good standing of the bar of the Commonwealth of Virginia and is admitted in the United States District Court for the Eastern and Western Districts of Virginia, and the United States Court of Appeals for the 4th and 11th Circuits.

3. To the best of my knowledge and belief, Mr. McFarland is a member in good standing of the courts listed above and never has been denied admission or disciplined in any court.

4. No previous motions have been filed with respect to the subject matter of this motion.

WHEREFORE, the undersigned respectfully requests that attorney Robert W. McFarland be granted permission to represent Defendant Timothy Montgomery in this matter, *pro hac vice*.

Dated: New York, New York
May 2, 2006

Respectfully submitted,

TIMOTHY MONTGOMERY

By: 

Richard L. Jarashow (RJ 3217)
McGuire Woods LLP
1345 Avenue of the Americas, 7th Floor
New York, New York 10105-0106
212.548.2100

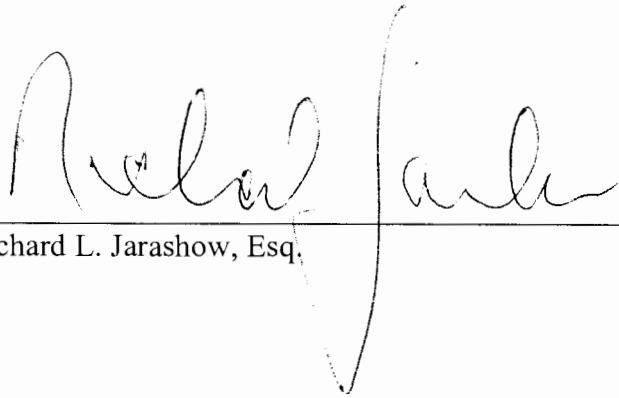
CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the foregoing MOTION FOR ADMISSION *PRO HAC VICE* OF ROBERT W. MCFARLAND by depositing same in the United States mail, properly addressed with sufficient postage affixed thereto to ensure delivery to all parties at the following addresses:

E. Danya Perry
U.S. Attorney's Office, SDNY (St Andw's)
One St. Andrew's Plaza
New York, NY 10007

Susan Vicki Tipograph
350 Broadway, Suite 700
New York, NY 10013

Dated: May 2, 2006

A handwritten signature in cursive script, appearing to read 'Richard L. Jarashow', written over a horizontal line.

Richard L. Jarashow, Esq.

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S4 05 CR. 1067 (KMK)

Defendants.

ORDER ADMITTING ROBERT W. MCFARLAND PRO HAC VICE

It appearing to the Court that Robert W. McFarland, attorney-at-law, declares by affidavit that he meets the requirements for admission *Pro Hac Vice* in this case and he is in good standing to practice in the Commonwealth of Virginia.

IT IS HEREBY ORDERED that the Motion for Admission *Pro Hac Vice* of Robert W. McFarland to appear in the United States District Court for the Southern District of New York, is hereby granted.

Judge, United States District Court

DATED: _____, 2006

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TIMOTHY MONTGOMERY,

Defendants.

**AFFIDAVIT OF ROBERT W.
MCFARLAND IN SUPPORT
OF MOTION FOR
ADMISSION *PRO HAC VICE***

ROBERT W. MCFARLAND, of full age, hereby deposes and says:

1. I am a member of the law firm of McGuireWoods LLP, World Trade Center, Suite 9000, 101 W. Main Street, Norfolk, Virginia 23510-1655. My e-mail address is rmcfarland@mcguirewoods.com, and telephone number is 757-640-3716.

2. I make this Affidavit in support of the motion to admit me *pro hac vice* to appear and participate in this matter as attorney for Defendant, TIMOTHY MONTGOMERY. I have personal knowledge of the matters set forth herein.

3. I was admitted to the bar of the Commonwealth of Virginia in 1984 and am presently so admitted. I am also admitted to the United States District Court for the Western and Eastern Districts of Virginia and the United States Court of Appeals for the 4th and 11th Circuits.

4. Richard L. Jarashow is a member of the firm McGuireWoods LLP, 1345 Avenue of the Americas, 7th Floor, New York, New York 10105-0106. Mr. Jarashow and his law firm are qualified to practice before this Court.

5. Defendant, TIMOTHY MONTGOMERY, has requested that my firm and I represent him in the defense of this matter.

6. It is respectfully submitted that there is good cause for my admission *pro hac vice*. This action involves issues in which both my firm and I have experience and expertise. My firm and I have a pre-existing relationship with this Defendant.

7. I am a member in good standing of the bar of the Commonwealth of Virginia. *See* the certificate of good standing from the bar of Virginia attached hereto. I have not been convicted of any crimes since becoming an attorney. I have not been censored, disciplined, suspended or disbarred by any court; nor are there any disciplinary proceedings pending against me in any court.

8. I respectfully request that I be admitted to practice before this Court for the purposes of participation in this action.

9. I agree to pay the fee of \$25.00 upon approval by this Court admitting me to practice *pro hac vice*.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Robert W. McFarland

Robert W. McFarland

Sworn to and subscribed before me this
1st day of May, 2006.

[Signature]
Notary Public

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CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA
EASTERN DISTRICT OF VIRGINIA

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}ss.
}

I, Fernando Galindo, Acting Clerk of the United States District Court, Eastern District of Virginia,

DO HEREBY CERTIFY that ROBERT WILLIAM MCFARLAND, Bar #24021, was duly admitted to practice in said Court on November 20, 1984, and is in good standing as a member of the bar of said Court.

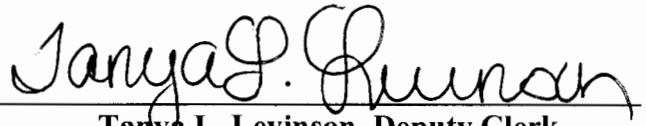
Dated at Norfolk, Virginia

on May 1, 2006

FERNANDO GALINDO

Acting Clerk

By



Tanya L. Levinson, Deputy Clerk